

DIVISION I

ARKANSAS COURT OF APPEALS  
NOT DESIGNATED FOR PUBLICATION  
JOHN MAUZY PITTMAN, CHIEF JUDGE

CACR04-622

June 21, 2006

MARCUS A. BARNEY, SR.  
APPELLANT

APPEAL FROM THE DREW COUNTY  
CIRCUIT COURT  
[NO. CR2003-83-3]

HON. ROBERT B. GIBSON, JR.,  
JUDGE

V.

STATE OF ARKANSAS  
APPELLEE

AFFIRMED

Marcus A. Barney, Sr., was convicted after a jury trial of aggravated robbery, possession of a firearm by a felon, and theft of property, for which he was sentenced as a habitual offender to terms of twenty, fifteen, and ten years' imprisonment, respectively. The sentences for aggravated robbery and possession of a firearm were ordered to be served consecutively. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), and Ark. Sup. Ct. R. 4-3(j), appellant's counsel has filed a motion to withdraw on grounds that the appeal is wholly without merit. The motion is accompanied by an abstract and addendum of the proceedings below, including all objections and motions decided adversely to appellant, and a brief in which counsel explains why there is nothing in the record that would support an appeal.

The clerk of this court provided appellant with a copy of his counsel's brief and notified him of his right to file a pro se statement of points for reversal within thirty days. Appellant filed such a statement, but his arguments all either present issues that were not

preserved for appeal by objection below or that are fully covered in his counsel's brief. The State has filed a brief in which it concurs that appellant's appeal is without merit.

From our review of the record and the briefs presented to us, we find compliance with Rule 4-3(j) and that the appeal is wholly without merit. Accordingly, counsel's motion to withdraw is granted, and the convictions are affirmed.

HART and GRIFFEN, JJ., agree.